

## CHAPTER 19

### PLANNED COMMERCIAL ZONES C-1P, C-2P, C-3P

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| <b>19-1.</b> | <b><u>Purpose and Intent.</u></b>   | <b>11-65</b> |
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| 1.           | The intent of the Planned Commercial Zones is to permit the establishment of a well designed complex of retail commercial facilities for a neighborhood, community, or region which will provide goods and services for the people to be served, minimize traffic congestion on thoroughfares and public streets in their vicinity and which shall best fit the general environment and land use pattern of the area to be served.  |              |
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| 2.           | The protective standards for site use and development contained in this Chapter are intended to minimize any adverse effect of the Planned Commercial Zone itself. Submission of a market analysis is intended to serve as a guide to the Planning Commission in the evaluation of an application in terms of the need or desirability to change the comprehensive zoning plan in the public interest, and the amount of land included in the rezoning application which could be realistically supported in commercial use. Such information is further intended to substantiate a finding that the proposed development will promote the general welfare of the County. |              |
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| 3.           | The three types of planned commercial zones provided for in this Chapter are as follows:  |              |
| a.           | Planned Neighborhood Commercial C-1P, provides for the sale and supply of daily living needs of the people living in the neighborhood   |              |
| b.           | Planned Community Commercial C-2P, provides in addition to convenience goods, a wider range of facilities for the sale of retail goods and personal services for the neighborhood and community   |              |
| c.           | Planned Regional Commercial C-3P, provides for the sale and supply of the complete range of retail and wholesale goods and personal services for the metropolitan area and also a center for recreational entertainment and cultural activities   |              |
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**19-2. General Regulations.**

1. At the time a CP Zone is established and before building permits are issued, deed restrictions on the property covered under the proposed new zone change shall be filed by the owners of the property with the County Recorder and shall provide that development take place on the property only in accordance with a final site development plan approved by the Planning Commission and County Commission and on file with the County Recorder.
2. A CP Zone may be established only upon land held in single ownership or under unified control or where the Planning Commission determines that development on separate adjoining properties should be coordinated to form a physically unified commercial facility which will be more appropriate and compatible with the surrounding land uses.
3. A CP Zone shall not be established upon a tract of land which would contain a non-conforming use after the passage of such amendment to the Zoning Ordinance unless the development planned for the tract includes the elimination of the non-conforming use.
4. The location of the CP Zone shall have an acceptable relationship to the Master Street Plan for the County as determined by the Planning Commission.
5. The petitioner or developer shall be required to pay the cost of the construction and/or installation of the following facilities on the streets providing access to the commercial center which may be necessary to control traffic generated by the commercial center.
  - a. Street widening
  - b. Ingress and egress driveways
  - c. Acceleration and deceleration lanes
  - d. Traffic control devices and signs, including channelization

The determination of standards required shall be made by the County Commission after recommendation by the Planning Commission and County Engineer, and the Utah Department of Highways in the case of CP Zones bordering State Highways.

6. The petitioner shall submit to the Planning Commission with the rezoning petition a preliminary development plan for the commercial center showing a unified and organized arrangement and proposed use of buildings off-street parking, internal traffic circulation and service facilities, etc.
7. If required, the applicant shall submit a market analysis acceptable to the Planning Commission and conducted and signed by a recognized and independent market analyst which shall serve as a guide to the Planning Commission for the evaluation of the application or part thereof in terms of:
  - a. The need or desirability to change the comprehensive zoning plan in the public interest.
  - b. The amount of land included in the rezoning application which can be realistically supported in commercial use.
  - c. The finding that the proposed development will promote the general welfare of the public. For the purposes of this Section, a market analysis shall contain the following elements:
    1. The trade area of the proposed shopping center
    2. Trade area population, present and potential
    3. Effective buying power in the trading area
    4. Net potential customer buying power for stores in the proposed shopping center
    5. The residue of buying power to be expended in existing shopping centers or commercial areas serving the trade area

8. Prior to the submission of the proposed ordinance rezoning an area to a CP Zone, the developer shall submit all evidence deemed necessary by the County Commission and/or Planning Commission of his ability to undertake the proposed project.
  9. No building or land use permits shall be issued for any use of structure in a CP Zone until a final site development plan for the entire district or for the initial phase of the stage development plan is proposed and has been submitted to and approved by the Planning Commission as complying with the regulations and requirements of this Chapter and all other applicable provisions of this Ordinance. The final site development plan shall show in detail the proposed use, area and location of buildings, off-street parking, internal traffic circulation, landscaping and service facilities indicated more generally on the approved preliminary development plan.
  10. No changes shall be made in the final site development plan during the course of construction pursuant thereto without first obtaining the prior approval of the Planning Commission. Copies of the approved final site development plan shall be kept on file in the office of the Planning Commission and Building Inspector's Department and any changes which may be approved shall be noted thereon.
  11. The Planning Commission may specify at the time of zoning approval conditions of approval of the final site development plan including the sequence of development and may require that initial building permits must include the major facilities of a proposal.
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#### **19-3. Review.**

1. A building permit shall be secured and construction begun in accordance with the approved final site development plan within eighteen (18) months for non-regional centers and thirty-six (36) months for regional centers, from the effective date of the Ordinance establishing such zone or other period of time as determined by the Planning Commission. Application may be made to the Planning Commission for extensions of the time limit for commencement of construction as follows: One six (6) month extension for non-regional centers and two six (6) month extensions for regional centers. Any further applications for extensions beyond these time limits would require a showing to the Planning Commission's satisfaction of unique conditions or situation and of imminent success in tenant leasing and construction commencement. All such applications shall include detailed documentation as to the circumstances and reasons for such request as required by the Planning Commission. 17-75
  2. In the event that construction is not started within the specified time limits, the Planning Commission shall review the classification of the zone and the progress which has taken place and if deemed necessary, institute proceedings to restore the zone to its prior classification or to a zone consistent with the comprehensive zoning plan.
  3. All construction authorized in the approved final site development plan shall be completed within three (3) years of the date construction has commenced. A plan for stage development which will require more time than the limits contained herein may be approved by the Planning Commission at the time the CP Zone is recommended or may be approved by the Planning Commission prior to or during the course of construction of the commercial center.
  4. In the event the construction is not completed within the time limit specified herein or by the Planning Commission, the Planning Commission shall review the zoning and development which has taken place and, if necessary initiate proceedings to reclassify the property or part thereof in a manner consistent with the comprehensive zoning plan.
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**19-4. Use Regulations.**

In planned Commercial Zones C-1P, C-2P and C-3P, no building, structure or land shall be used and no building or structure shall be erected which is arranged, intended or designed to be used for other than any use listed in the respective C-1, C-2 or C-3 Zones as a permitted or conditional use and as further limited by the approval of the Planning Commission. Such uses shall be indicated on the final site development plan.

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**19-5. Area Regulations.**

1. C-1P Zone: The maximum area for C-1P Zone shall be ten (10) acres
  2. C-2P Zone: The minimum area for a C-2P Zone shall be five (5) acres
  3. C-3P Zone: The minimum area for a C-3P Zone shall be ten (10) acres
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**19-6. Yard and Height Regulations.**

C-1P and C-2P Zones:	The same as for Commercial Zone C-1
C-3P Zone:	none

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**19-7. Coverage Regulations.**

The aggregate area of all buildings proposed shall not exceed thirty-five (35) percent of the entire lot area of the development.

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**19-8. Special Parking Requirements.**

Notwithstanding the provisions of Chapter 24 of the Uniform Zoning Ordinance, there shall be provided off-street parking facilities in the ratio of not less than three square feet of parking for each one square foot of sales floor area within the development.

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**19-9. Protection of Adjoining Residential Properties.**

Where a planned commercial development adjoins any lot in any residential zone, the Planning Commission may require to be provided and maintained along such property line a wooden or ornamental concrete block fence of not less than six (6) feet in height, provided, however, that such fence shall be three and one-half (3 1/2) feet in height along the property line which bounds the front yard of adjoining residential lots.

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